

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHODS AND DEVICES FOR INTRAMUSCULAR STIMULATION OF UPPER AIRWAY  
AND SWALLOWING MUSCLE GROUPS**

the specification of which (check one)

☐ is attached hereto.

☒ was filed on March 28, 2005 as U.S. Serial No. 10/529,401

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of

any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
PCT/US03/030032	WIPO	09/26/2003	YES	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/413,773	09/27/2002

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the Office of Technology Transfer, National Institutes of Health, and the law firm of HELLER EHRMAN LLP included in the Customer Number provided below:

Customer Number 44991

BEST AVAILABLE COPY

and I request that all correspondence be directed to:

**HELLER EHRMAN LLP**  
1717 Rhode Island Avenue, NW  
Washington, DC 20036-  
Telephone: (202) 912-2000  
Facsimile: (202) 912-2020

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I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Christy L. Ludlow
Residence	Bethesda, Maryland
Citizenship	USA
Post Office Address	8801 Garfield Street, Bethesda, MD 20817
Inventor's signature	
Date	
Name of second inventor	Eric Mann
Residence	Clarksville, Maryland
Citizenship	USA
Post Office Address	13712 Springdale Drive, Clarksville, MD 21029-1353
Inventor's signature	
Date	

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Name of third inventor

Theresa Burnett

Residence

Silver Spring, Maryland

Citizenship

USA

Post Office Address

8324 16th Street, #324, Silver Spring, MD 20910

Inventor's signature

Date

Name of fourth inventor

Steven Bielamowicz

Residence

McLean, Virginia

Citizenship

USA

Post Office Address

1500 Twisting Tree Lane, McLean, Virginia 22101

Inventor's signature

SR

Date

11/9/05

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AND SWALLOWING MUSCLE GROUPS**

the specification of which (check one)

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  X   was filed on March 28, 2005 as U.S. Serial No. 10/529,401

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Name of first inventor	Christy L. Ludlow
Residence	Bethesda, Maryland
Citizenship	USA
Post Office Address	8801 Garfield Street, Bethesda, MD 20817
Inventor's signature	<i>Christy Ludlow</i>
Date	10/13/05
Name of second inventor	Eric Mann
Residence	Clarksville, Maryland
Citizenship	USA
Post Office Address	13712 Springdale Drive, Clarksville, MD 21029-1353
Inventor's signature	
Date	

Name of third inventor

Theresa Burnett

Residence

Silver Spring, Maryland

Citizenship

USA

Post Office Address

8324 16th Street, #324, Silver Spring, MD 20910

Inventor's signature

Date

Name of fourth inventor

Steven Bielamowicz

Residence

McLean, Virginia

Citizenship

USA

Post Office Address

1500 Twisting Tree Lane, McLean, Virginia 22101

Inventor's signature

Date



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Citizenship	USA
Post Office Address	13712 Springdale Drive, Clarksville, MD 21029-1353
Inventor's signature	
Date	

Name of third inventor

Theresa Burnett

Residence

~~Silver Spring, Maryland~~ Bloomington, Indiana

Citizenship

USA

Post Office Address

~~8324 15th Street #124 Silver Spring, MD 20910~~ 812 South Jordan Ave  
Bloomington IN 47401

Inventor's signature

Theresa Burnett

Date

Jan 2, '06

Name of fourth inventor

Steven Bielamowicz

Residence

McLean, Virginia

Citizenship

USA

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Date

Name of second inventor

Eric Mann

Residence

Clarksville, Maryland

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USA

Post Office Address

13712 Springdale Drive, Clarksville, MD 21029-1353

Inventor's signature

Date

*Eric Mann*  
11/8/05

Name of third Inventor

Theresa Burnett

Residence

Silver Spring, Maryland

Citizenship

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Post Office Address

8324 16th Street, #324, Silver Spring, MD 20910

Inventor's signature

Date

Name of fourth Inventor

Steven Bielamowicz

Residence

McLean, Virginia

Citizenship

USA

Post Office Address

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Inventor's signature

Date